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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/683,426	12/27/2001	George Brookner	ASCO.P-070	8729
21121	7590	09/09/2004	EXAMINER	
OPPEDAHL AND LARSON LLP P O BOX 5068 DILLON, CO 80435-5068			WOO, RICHARD SUKYOON	
			ART UNIT	PAPER NUMBER
			3629	

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/683,426

Applicant(s)

BROOKNER

Examiner

Richard Woo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Remark***

- 1) Prosecution on the merits of this application is reopened on claims 1-32 considered unpatentable; the finality of the previous office action is withdrawn; and a new action is set forth.
- 2) The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action

***Claim Rejections - 35 USC § 102***

- 3) Claims 1-4, 7, 9-13, 16, 18-23, 26 and 28-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Ruat (WO 95/20200).

As for Claim 1, Ruat discloses a method for use with mail piece, comprising (see generally the translation of Ruat):

requiring, as a precondition of purchasing at least one postal indicium, receipt of first information about a purchaser's identity (Inherently, the purchase of the franking device **MUST** submit the information about his/her identity to the postal service so as to rent, lease or buy the device, see page 6, line 10-16. The purchaser can purchase at least one postal indicium or print the postal indicium by using the device after offering his/her identity information first. The postal service can uniquely identify who owns and uses the device to print the indicium based on this initial, identity information.);

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deriving second information from the first information (see pages 6-7);

printing the second information upon the at least one postal indicium (see Figs. 1-2);

receiving an addressed mail piece with the at least one postal indicium into the mail; and

delivering the mail piece.

As for Claim 2, Ruat discloses the method, wherein the postal indicium is an adhesive postage stamp (see page 6, lines 10-16; label);

As for Claim 3, Ruat discloses the method, wherein the postal indicium is a meter strip (see Figs.);

As for Claim 4, Ruat discloses the method, wherein the postal indicium is printed on an envelope (see Figs.);

As for Claim 7, Ruat discloses the method, wherein the second information is a visibly printed bar code (see Figs.);

As for Claim 9, Ruat discloses the method including number of postal indicia comprising a plurality (see Supra page for a plurality of "labels"), wherein the printing, receiving, and delivering steps are carried out with respect to each of the plurality of indicia.

As for Claim 10, Ruat discloses a method for use with mail piece, comprising (see generally the translation of Ruat):

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requiring, as a precondition of receiving (by the postal service) at least one postal indicium, receipt of first information about a purchaser's identity (Inherently, the purchase of the franking device MUST submit the information about his/her identity to the postal service so as to rent, lease or buy the device, see page 6, line 10-16. The purchaser can purchase at least one postal indicium or print the postal indicium by using the device after offering his/her identity information first. The postal service can uniquely identify who owns and uses the device to print the indicium based on this initial, identity information.);

receiving an addressed mail piece with the at least one postal indicium into the mail; and

delivering the mail piece.

As for Claim 11, Ruat discloses the method, wherein the postal indicium is an adhesive postage stamp (see page 6, lines 10-16; label);

As for Claim 12, Ruat discloses the method, wherein the postal indicium is a meter strip (see Figs.);

As for Claim 13, Ruat discloses the method, wherein the postal indicium is printed on an envelope (see Figs.);

As for Claim 16, Ruat discloses the method, wherein the second information is a visibly printed bar code (see Figs.);

As for Claim 18, Ruat discloses the method including number of postal indicia comprising a plurality (see Supra page for a plurality of "labels"), wherein the printing,

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receiving, and delivering steps are carried out with respect to each of the plurality of indicia; and

As for Claim 19, Ruat discloses the method wherein the information about the identity is cryptographically signed and inherently the postal service checks any cryptographically signed information (see the entirety of the translated disclosure for the encryption method).

As for Claim 20, Ruat discloses a method for use with mail piece, comprising  
(see generally the translation of Ruat):

requiring, as a precondition of delivering (by the postal service) at least one postal indicium, receipt of first information about a purchaser's identity (Inherently, the purchase of the franking device **MUST** submit the information about his/her identity to the postal service so as to rent, lease or buy the device, see page 6, line 10-16. The purchaser can purchase at least one postal indicium or print the postal indicium by using the device after offering his/her identity information first. The postal service can uniquely identify who owns and uses the device to print the indicium based on this initial, identity information.);

receiving an addressed mail piece with the at least one postal indicium into the mail; and

delivering the mail piece.

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As for Claim 21, Ruat discloses the method, wherein the postal indicium is an adhesive postage stamp (see page 6, lines 10-16; label);

As for Claim 22, Ruat discloses the method, wherein the postal indicium is a meter strip (see Figs.);

As for Claim 23, Ruat discloses the method, wherein the postal indicium is printed on an envelope (see Figs.);

As for Claim 26, Ruat discloses the method, wherein the second information is a visibly printed bar code (see Figs.);

As for Claim 28, Ruat discloses the method including number of postal indicia comprising a plurality (see Supra page for a plurality of "labels"), wherein the printing, receiving, and delivering steps are carried out with respect to each of the plurality of indicia; and

As for Claim 29, Ruat discloses the method wherein the information about the identity is cryptographically signed and inherently the postal service checks any cryptographically signed information (see the entirety of the translated disclosure for the encryption method).

As for Claim 30, Ruat discloses a method for use with mail piece, comprising (see generally the translation of Ruat):

receiving an addressed mail piece with the at least one postal indicium into the mail, the postal indicium bearing information indicative of the identity of the sender (Inherently, the purchase of the franking device MUST submit the information about

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his/her identity to the postal service so as to rent, lease or buy the device, see page 6, line 10-16. The purchaser can purchase at least one postal indicium or print the postal indicium by using the device after offering his/her identity information first. The postal service can uniquely identify who owns and uses the device to print the indicium based on this initial, identity information.);

reading the information indicative of the identity of the sender; and

determining whether the sender whose identity is indicated by the information is on the list of expected senders (e.g. see the last paragraph of page 10).

As for Claim 31, Ruat discloses the method wherein the information about the identity is cryptographically signed and inherently the postal service checks any cryptographically signed information (see the entirety of the translated disclosure for the encryption method).

#### ***Claim Rejections - 35 USC § 103***

4) Claims 5, 14 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruat in view of Kara (US 5,717,597).

Ruat discloses the invention as cited earlier, but does not expressively disclose the postal indicium being printed on a post card.

Kara teaches, for a system and method for printing the postage indicia, that the postage indicia are printed on a post card (see Figs.).



Since Ruat and Kara are both from the same field of endeavor, the purpose disclosed by Kara would have been well recognized in the pertinent art of Ruat.

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art, to print the postage indicia on the post cards, as taught by Kara, for the purpose of producing the personalized post or greeting cards with custom-made postage indicia.

5) Claims 6, 8, 15, 17, 25, 27 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruat in view of Windel et al. (US 5,953,426).

Ruat discloses the method as recited earlier, but does not expressly disclose the method including the limitations in Claims 6, 8, 15, 17, 25, 27 and 32.

Windel et al. is cited to show a method for use with mail piece, comprising wherein the second information is an invisibly printed bar code (as requested by USPS; see col. 46);

wherein the second information is a human readable message (see Figs.; col. 46); and

inspecting the delivered mail piece when the sender is not on the list of expected senders (by opening the mail piece when the sender is not matched with the database; see the summary of the invention for example).

Since Ruat and Windel et al. are both from the same field of endeavor, the purpose disclosed by Windel et al. would have been well recognized in the pertinent art of Ruat.

Accordingly, it would have been obvious at the time the invention was made to a person having ordinary skill in the art, to print an invisible bar code or human readable message and inspect the delivered mail piece when the sender is not on the list of expected senders, as taught by Windel et al., for the purpose of complying with the postal service's proposals (in col. 46) and identifying the true sender by opening the mailing piece when a manipulation is found (see col. 7, lines 32-46).

### ***Conclusion***

-- The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

"Stamps.com: Technology Helps Improve Mail Security" is cited to show the service that provides extensive information regarding the sender's identity, point of origination and the path taken through the mail system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Woo whose telephone number is 703-308-7830. The examiner can normally be reached on Monday-Friday from 8:30 AM -5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703-308-2702. The fax phone numbers for

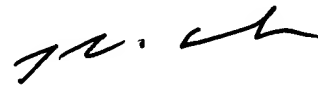
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the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0861.



Richard Woo  
Patent Examiner  
GAU 3629  
September 3, 2004



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